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NEW JERSEYHAROLD BAER
U.S. DISTRICT JUDGE
S. D. N.Y.
THOMAS H. O'ROURKE
1976 - 2003

May 25, 2007

BY TELEFAX

Honorable Harold Baer, Jr.
 United States District Judge
 Southern District of New York
 U.S. Courthouse
 500 Pearl Street
 New York, New York 10007

Re: *Dunkin' Donuts Franchised Restaurants LLC, et al. v. AKCL Int'l Group Ltd.*
Case No. 07-CV-3699 (HB)

Dear Judge Baer:

My office represents Plaintiffs Dunkin' Donuts Franchised Restaurants LLC and DD IP Holder LLC in the above action. Plaintiffs' motion for a preliminary injunction is scheduled to appear on Your Honor's calendar on Tuesday, May 29, 2007, at 10:00 A.M. The purpose of the motion was to get Defendant to remove health and safety violations. Yesterday a Dunkin' Donuts employee inspected the shop and ascertained that it had been cleaned up. The only remaining issue is attorney's fees, to which Plaintiff Dunkin' Donuts Franchised Restaurants LLC is entitled, pursuant to its Franchise Agreement with Defendant.

In view of the foregoing, I request that Your Honor mark the motion withdrawn, or adjourn the case for four weeks. In the interim the time within which Defendant must answer the complaint will have passed. Depending upon what action Defendant takes, I shall: (1) seek a default judgment, if Defendant does not answer; (2) file a motion for summary judgment, if Defendant answers the complaint; or (3) file a Notice of Dismissal, if Defendant pays the attorney's fees.

Very truly yours,

Ronald D. Degen
RONALD D. DEGEN

SO ORDERED:

Harold Baer, Jr. U.S.D.J.

Date: 5/24/07

RDD:rg

*On my 5/29 Calendar + will call
Schedule a PTC on 5/29 AM to resolve all
3:30 PM to resolve all
matters
otherwise*

Endorsement:

I will take this off my 5/29 calendar and will schedule a PTC on June 28 at 2:30 P.M. to resolve any open matters. Be sure to notify your adversary.